

RESNICK & LOUIS, P.C.

PAUL A. ACKER, ESQ.

Nevada Bar No. 3670

GARY W. CALL, ESQ.

Nevada Bar No. 6922

ELIZABETH SPAUR, ESQ.

Nevada Bar No. 10446

8925 West Russell Road, Suite 220

Las Vegas, NV 89148

Telephone/Facsimile: (702) 997-3800

packer@rlattorneys.com

gcall@rlattorneys.com

espaurs@rlattorneys.com

Attorneys for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JEFFREY TOLL,

Plaintiff,

vs.

NEVADA PROPERTY 1, LLC d/b/a THE
COSMOPOLITAN OF LAS VEGAS,

Defendant.

CASE NO.: 2:20-cv-00929-KJD-DJA

**STIPULATION TO EXTEND
DISCOVERY DATES; ORDER (FIRST
REQUEST)**

Come now Jeffrey Toll (“Mr. Toll” or the “Plaintiff”) and Nevada Property 1, LLC d/b/a The Cosmopolitan of Las Vegas (“NP1”) or the “Defendant”) (collectively the “Parties”), by and through respective undersigned counsel, hereby submit the following, first, stipulation to extend discovery dates and request modification of the Court’s scheduling order pursuant to Rule 16 of the Federal Rules of Civil Procedure.

Recitals

1. On July 9, 2020, this Court granted the Parties Discovery Plan and Scheduling Order that set the following deadlines:

Initial Expert Disclosures	December 31, 2020
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Rebuttal Expert Disclosures	February 1, 2021
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Discovery Cut-Off	March 1, 2021
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Deadline for Filing Dispositive Motions March 31, 2021

Deadline for Filing Joint Pre-Trial Order April 30, 2021

Deadline for Exchange of Pre-Trial Disclosures April 30, 2021

2. The Parties are continuing to work together to complete discovery in this matter.

Both parties have made initial disclosures and written discovery has been served by Plaintiff.

3. Good causes exist to grant this requested discovery extension. As noted in the Parties initial Scheduling Order, this matter involves events that took place within a Las Vegas casino and completion of discovery in this matter is complicated by the Coronavirus ("COVID-19") pandemic. While the parties have been diligent in their discovery efforts, a substantial amount of discovery remains to be completed, the COVID-19 outbreak has made the completion of remaining discovery within the existing deadlines impracticable. This includes but not limited to further written discovery, party depositions, witness depositions, and disclosures of experts. On November 23, 2020, the Governor of Nevada announced additional statewide restrictions to combat a recent resurgence of COVID-19 within Nevada. Those restrictions have hampered efforts to confirm witness identities and may delay Defendant's ability to produce witnesses for deposition in this matter. In addition, the recent restrictions may impact any expert's ability to conduct any investigation that would include a site visit of the property.

4. The Parties have met and conferred and have agreed that a brief continuance should afford them the opportunity to work through these unique challenges, complete discovery and prepare this matter for trial.

Stipulation

Accordingly, based upon the foregoing, the parties hereby stipulate to the following deadlines:

Initial Expert Disclosures February 1, 2021

Rebuttal Expert Disclosures	March 1, 2021
Discovery Cut-Off	April 1, 2021
Deadline for Filing Dispositive Motions	April 30, 2021
Deadline for Filing Joint Pre-Trial Order	May 31, 2021
Deadline for Exchange of Pre-Trial Disclosures	May 31, 2021

IT IS SO STIPULATED

DATED this 1st day of December, 2020.

RESNICK & LOUIS, P.C.

/s/ Paul Acker

PAUL A. ACKER, ESQ.
Nevada Bar No. 3670
GARY W. CALL, ESQ.
Nevada Bar No. 6922
ELIZABETH SPAUR, ESQ.
Nevada Bar No. 10446
8925 West Russell Road, Suite 220
Las Vegas, NV 89148
Attorneys for Defendant

DATED this 1st day of December, 2020.

/s/ Maurice VerStandig

MAURICE VERSTANDIG
Nevada Bar No. 15346
1452 W. Horizon Ridge Pkwy, #665
Henderson, Nevada 89012
Attorney for Plaintiff

ORDER

Having read and consider the Parties' Stipulation to Extend Discovery Dates, IT IS
HEREBY ORDERED THAT the dates set forth in the Stipulated Discovery and Scheduling
Order shall be CONTINUED to the dates set forth in the stipulation above.

IT IS SO ORDERED.

Dated: December 2, 2020


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing STIPULATION TO EXTEND DISCOVERY DATES; ORDER (FIRST REQUEST) was served this 3rd day of July, 2020, upon the following persons via the CM/ECF system:

Maurice VerStandig, Esq.
The VerStandig Law Firm, LLC
1452 W. Horizon Ridge Parkway, #665
Henderson, NV 89012
mac@mbvesq.com
Attorneys for Plaintiff

/s/ Shyanne Jackson

An Employee of Resnick & Louis, P.C.